

River. I do not believe the health of men, women, and children should be sacrificed for financial gain.

Being a Representative in the Legislature from the district in which the city of Longview is situated, I believe I should cast my vote in the interest of citizens of this city.

MAGEE.

#### SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 51, to the Committee on Congressional Districts.

#### RECESS.

On motion of Mr. Anderson, the House, at 6:50 o'clock p. m., took recess to 9 o'clock a. m., tomorrow.

#### APPENDIX.

#### REPORT OF THE COMMITTEE OF THE WHOLE HOUSE.

The Committee of the Whole House filed a favorable report on Senate bill No. 25.

#### FIFTEENTH DAY.

(Continued.)

(Friday, October 2, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

#### SENATE BILL NO. 35 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 35, A bill to be entitled "An Act creating the One Hundred and Twenty-seventh Judicial District of Texas and establishing a new district court within the limits of Bexar county, additional to the district courts now organized and operating in said county; defining the jurisdiction thereof; providing for the appointment of the judge thereof by

the Governor until the next general election; providing for the appointment of an official shorthand reporter to serve said court; providing that the sheriff and clerk of the district courts of Bexar county shall act in their respective capacities as sheriff and clerk of the district court herein created; fixing the terms of said court; providing that the district attorney of the Thirty-seventh Judicial District shall also represent the State in all criminal and civil matters in said One Hundred and Twenty-seventh Judicial District Court; providing for the transfer of cases; providing that One Hundred and Twenty-seventh Judicial District Court shall have the right to empanel a grand jury and providing to which cases the said One Hundred and Twenty-seventh Judicial District Court shall give preference; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Howsley raised a point of order on further consideration of the bill, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

The House sustained the point of order.

#### AUTHORIZING CERTAIN COR- RECTION IN HOUSE BILL NO. 59.

Mr. West of Cameron offered the following resolution:

H. C. R. No. 38, Authorizing certain correction in House bill No. 59.

Whereas, House bill No. 59 has passed the House and the Senate and is now ready to go to the Governor; and

Whereas, The emergency clause is in the body of the bill but not in the caption of the bill; now therefore, be it

Resolved by the House, the Senate concurring, That the Enrolling Clerk of the House be instructed to add "and declaring an emergency" to the caption of House bill No. 59.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 91 ON SECOND  
READING.

On motion of Mr. DeWolfe, that portion of Section 5, of Rule 19, which relates to the 72-hour and the 48-hour rules and the rule which relates to the regular order of business, were suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 91, A bill to be entitled "An Act amending Article 1025, of Chapter 2, Title 15, Code of Criminal Procedure, fixing the fees paid by the State of district attorneys, criminal district attorneys, or county attorneys for representing the State in the district court in felony cases and in habeas corpus cases where the defendant is charged with a felony; repealing Article 1024, of Chapter 2, Title 15, Code of Criminal Procedure, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Burns of Walker offered the following amendment to the bill:

Amend House bill No. 91, by adding a new section to be numbered Section —:

"Sec. —. Provided the provisions of this act shall not apply when a convict sues out a habeas corpus."

The amendment was adopted.

Mr. Dale offered the following amendment to the bill:

Amend House bill No. 91, by adding the following to Section 2: "The provisions of this act shall not apply to any county whose attorney represents the State in all courts."

On motion of Mr. DeWolfe, the amendment was tabled.

House bill No. 91 was then passed to engrossment.

HOUSE BILL NO. 91 ON THIRD  
READING.

Mr. DeWolfe moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 91 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Anderson.
Adams of Jasper.	Baker.
Adkins.	Bedford.
Akin.	Bond.

Bounds.	Johnson of Morris.
Bradley.	Jones of Shelby.
Burns	Jones of Atascosa.
of McCulloch.	Kayton.
Carpenter.	Kennedy.
Caven.	Lasseter.
Claunch.	Lee.
Coltrin.	Lemens.
Cox of Lamar.	Lilley.
Cox of Limestone.	Magee.
Daniel.	Metcalf.
Davis.	Moffett.
DeWolfe.	Moore.
Donnell.	Munson.
Dwyer.	Murphy.
Elliott.	Olsen.
Engelhard.	Petsch.
Farmer.	Ratliff.
Farrar.	Ray.
Finn.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Sanders.
Gilbert.	Savage.
Giles.	Shelton.
Goodman.	Sherrill.
Greathouse.	Sparkman.
Grogan.	Stephens.
Hanson.	Steward.
Harman.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Hatchitt.	of Val Verde.
Herzik.	Turner.
Hill.	Vaughan.
Hines.	Veatch.
Holder.	Wagstaff.
Holland.	Walker.
Hoskins.	Weinert.
Howsley.	West of Coryell.
Hubbard.	West of Cameron.
Hughes.	Wiggs.
Jackson.	Wyatt.
Johnson	
of Dimmit.	

Nays—12.

Adams of Harris.	Laird.
Adamson.	McDougald.
Burns of Walker.	Mathis.
Dale.	Ramsey.
Fisher.	Stevenson.
Hefley.	Van Zandt.

Present—Not Voting.

Holloway.	Nicholson.
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Absent.

Alsup.	Cunningham.
Barron.	Dodd.
Beck.	Dowell.
Boyd.	Dunlap.
Brice.	Duvall.
Brooks.	Ferguson.
Coombes.	Graves.

Hardy.	Morse.
Harrison	O'Quinn.
of El Paso.	Pope.
Johnson	Reader.
of Dallam.	Satterwhite.
Justiss.	Scott.
Keller.	Smith of Bastrop.
Leonard.	Smith of Wood.
Lockhart.	Strong.
Long.	Sullivant.
McCombs.	Tarwater.
McGill.	Towery.
McGregor.	Warwick.
Martin.	Young.
Mehl.	

Absent—Excused.

Albritton.	Patterson.
Bryant.	Westbrook.

The Speaker then laid House bill No. 91 before the House on its third reading and final passage.

The bill was read third time, and was passed.

#### COMMUNICATION FROM THE HON. MORRIS SHEPPARD.

The following communication in regard to a resolution heretofore offered by Mr. Bradley, relative to the reduction of armaments, was ordered printed in the Journal:

September 14, 1931.

Hon. Rolland Bradley, House of Representatives, Austin, Texas.

My dear Mr. Bradley: I am pleased to have your letter of September 9, with resolution inclosed. I am in thorough sympathy with the resolution and will be glad to do everything I can in its behalf. It will be entirely agreeable to me for you to have the resolution contain a provision for its presentation by me to the Senate.

Trusting you have entirely recovered by this time, and are now engaged in your duties at Austin, I am

Yours very truly,  
MORRIS SHEPPARD.

P. S. To be sure to reach you, I am sending a copy of this letter to you at San Antonio.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, October 2, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has

refused to concur in House amendments to Senate bill No. 25, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Purl, Rawlings, Neal, Woodul, and Woodward.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### REQUEST OF SENATE GRANTED.

On motion of Mr. Hubbard, the House granted the request of the Senate for the appointment of a conference committee on Senate bill No. 25.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 25.

The Speaker announced the appointment of the following conference committee on Senate bill No. 25: Messrs. Hubbard, Petsch, Beck, Nicholson, and Young.

#### TO MAKE CERTAIN RECOMMEN- DATIONS TO HOUSE CON- FEREES ON SENATE BILL NO. 25.

Mr. Howsley offered the following resolution:

Whereas, As Senate bill No. 25 has been finally passed by the House of Representatives, with amendments; and,

Whereas, In said bill it authorizes the State of Texas to engage in the actual drilling of oil and gas wells; and,

Whereas, It is the opinion of the members of the House of Representatives that the drilling of wells by the State of Texas would be impractical and expensive to an already overburdened taxpaying public; and,

Whereas, The House of Representatives has not expressed itself in regard to whether or not this bill should authorize such drilling of wells by the State of Texas; and,

Whereas, It is probable that the Senate will refuse to concur in House amendments on said bill and will call for a free conference committee to be appointed; now therefore, be it

Resolved by the House of Representatives, That it recommend to its conference committee on this bill that said bill be drawn in such a way

that it will not authorize the State of Texas to engage in the actual drilling of wells for oil and gas.

The resolution was read second time.

Mr. Anderson moved to table the resolution.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—65.

Adams of Harris.	Jones of Shelby.
Adams of Jasper.	Jones of Atascosa.
Adamson.	Justiss.
Anderson.	Kayton.
Bounds.	Kennedy.
Bradley.	Lemens.
Brice.	Leonard.
Carpenter.	Lilley.
Caven.	McCombs.
Claunch.	Magee.
Coltrin.	Mathis.
Cox of Lamar.	Moore.
Cox of Limestone.	Munson.
Donnell.	Petsch.
Dowell.	Ray.
Dwyer.	Richardson.
Farmer.	Rogers.
Farrar.	Rountree.
Fisher.	Sanders.
Forbes.	Savage.
Fuchs.	Shelton.
Giles.	Sparkman.
Hanson.	Stephens.
Harrison	Steward.
of Waller.	Terrell
Herzik.	of Cherokee.
Hill.	Turner.
Hines.	Van Zandt.
Holder.	Vaughan.
Holland.	Veatch.
Hoskins.	Weinert.
Hughes.	West of Coryell.
Jackson.	Wiggs.
Johnson	
of Dimmit.	

Nays—34.

Adkins.	Hefley.
Akin.	Holloway.
Baker.	Howsley.
Bond.	Johnson
Burns of Walker.	of Dallam.
Burns	Johnson of Morris.
of McCulloch.	Laird.
Davis.	Lee.
Elliott.	McDougald.
Engelhard.	McGregor.
Ford.	Moffett.
Greathouse.	Murphy.
Grogan.	Nicholson.
Hardy.	Ramsey.
Harman.	Ratliff.
Hatchitt.	Sherrill.

Stevenson.  
Wagstaff.

Walker.  
Wyatt.

Present—Not Voting.

Olsen.

Absent.

Alsup.	Lockhart.
Barron.	Long.
Beck.	McGill.
Bedford.	Martin.
Boyd.	Mehl.
Brooks.	Metcalfe.
Coombes.	Morse.
Cunningham.	O'Quinn.
Dale.	Pope.
Daniel.	Reader.
DeWolfe.	Satterwhite.
Dodd.	Scott.
Dunlap.	Smith of Bastrop.
Duvall.	Smith of Wood.
Ferguson.	Strong.
Finn.	Sullivant.
Gilbert.	Tarwater.
Goodman.	Terrell
Graves.	of Val Verde.
Harrison	Towery.
of El Paso.	Warwick.
Hubbard.	West of Cameron.
Keller.	Young.
Lasseter.	

Absent—Excused.

Albritton.	Patterson.
Bryant.	Westbrook.

HOUSE BILL NO. 96 ON PASSAGE  
TO ENGROSSMENT.

Mr. Engelhard moved that that portion of Section 5, of Rule 19, which relates to the 72-hour and the 48-hour rules, be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 96, A bill to be entitled "An Act to amend Article 5665, of the Revised Civil Statutes, of 1925, by adding thereto another article, to be known as Article 5665-a, providing offenses, penalties, and punishment for violation of Chapters 1, 2, 3, and 4, of Title 93, being Articles 5662 to 5665, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Bounds raised a point of order on further consideration of the bill on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker declined to rule on the point of order, stating that he would

submit the matter to the House for its decision.

The House sustained the point of order.

#### NOTICE GIVEN.

Mr. McCombs gave notice that he would, on tomorrow, move to take up for consideration at that time the motion to reconsider the vote by which the resolution, heretofore offered by Mr. Warwick, providing for post-session work for certain employes, was adopted.

#### RELATIVE TO THE REDUCTION OF ARMAMENTS.

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Bradley and others, relative to the reduction of armaments; the resolution having heretofore been read second time.

On motion of Mr. Anderson, the resolution was tabled.

#### RELATIVE TO SENATE BILL NO. 51.

Mr. Metcalfe moved that the 72-hour rule and the 48-hour rule (Section 5 of Rule 19) be suspended to take up and consider at this time Senate bill No. 51.

The motion prevailed by the following vote:

Yeas—70.

Mr. Speaker.	Hines.
Adkins.	Holder.
Anderson.	Hoskins.
Baker.	Hubbard.
Beck.	Hughes.
Bounds.	Johnson
Bradley.	of Dallam.
Brice.	Johnson
Carpenter.	of Dimmit.
Caven.	Johnson of Morris.
Claunch.	Jones of Shelby.
Coltrin.	Justiss.
Dale.	Kayton.
Davis.	Kennedy.
Dowell.	Lee.
Dwyer.	Lemens.
Farmer.	Leonard.
Finn.	Lilley.
Forbes.	McCombs.
Ford.	Magee.
Fuchs.	Metcalfe.
Grogan.	Moffett.
Hardy.	Munson.
Harman.	Murphy.
Hatchitt.	Nicholson.
Hill.	Petsch.

Ratliff.	Terrell
Ray.	of Val Verde.
Richardson.	Van Zandt.
Rountree.	Vaughan.
Sanders.	Wagstaff.
Savage.	Walker.
Shelton.	Weinert.
Sparkman.	West of Coryell.
Stephens.	Wiggs.
Steward.	Wyatt.
	Young.

Nays—33.

Adams of Harris.	Hefley.
Adams of Jasper.	Jackson.
Adamson.	Jones of Atascosa.
Akin.	Laird.
Bedford.	Lasseter.
Burns of Walker.	Long.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGregor.
Elliott.	Mathis.
Engelhard.	Ramsey.
Farrar.	Rogers.
Fisher.	Sherrill.
Gilbert.	Stevenson.
Goodman.	Terrell
Greathouse.	of Cherokee.
Hanson.	Turner.
Harrison	Veatch.
of Waller.	

Present—Not Voting.

Giles.

Absent.

Alsup.	Howsley.
Barron.	Keller.
Bond.	Lockhart.
Boyd.	McGill.
Brooks.	Martin.
Burns	Mehl.
of McCulloch.	Moore.
Coombes.	Morse.
Cunningham.	Olsen.
Daniel.	O'Quinn.
DeWolfe.	Pope.
Dodd.	Reader.
Donnell.	Satterwhite.
Dunlap.	Scott.
Duvall.	Smith of Bastrop.
Ferguson.	Smith of Wood.
Graves.	Strong.
Harrison	Sullivan.
of El Paso.	Tarwater.
Herzik.	Towery.
Holland.	Warwick.
Holloway.	West of Cameron.

Absent—Excused.

Albritton.	Patterson.
Bryant.	Westbrook.

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended,

and that Senate bill No. 51 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—72.

Mr. Speaker.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Akin.	of Dimmit.
Anderson.	Johnson of Morris.
Baker.	Jones of Shelby.
Barron.	Kayton.
Beck.	Kennedy.
Bradley.	Lee.
Brice.	Lemens.
Burns of Walker.	Lilley.
Burns	McCombs.
of McCulloch.	Magee.
Carpenter.	Metcalfe.
Caven.	Moffett.
Claunch.	Munson.
Coltrin.	Murphy.
Davis.	Petsch.
Dowell.	Ratliff.
Duvall.	Ray.
Dwyer.	Richardson.
Finn.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Savage.
Gilbert.	Shelton.
Greathouse.	Stephens.
Grogan.	Steward.
Hardy.	Terrell
Hatchitt.	of Val Verde.
Hill.	Van Zandt.
Hines.	Vaughan.
Holder.	Wagstaff.
Hoskins.	Walker.
Howsley.	West of Coryell.
Hubbard.	Wiggs.
Hughes.	Wyatt.
Jackson.	Young.

## Nays—32.

Adams of Harris.	Justiss.
Adams of Jasper.	Laird.
Bedford.	Lasseter.
Bounds.	Long.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGregor.
Dale.	Mathis.
Elliott.	Nicholson.
Farmer.	Ramsey.
Farrar.	Sherrill.
Fisher.	Sparkman.
Goodman.	Stevenson.
Hanson.	Terrell
Harrison	of Cherokee.
of Waller.	Turner.
Hefley.	Veatch.
Jones of Atascosa.	Weinert.

## Absent.

Alsup.	Leonard.
Bond.	Lockhart.
Boyd.	McGill.
Brooks.	Martin.
Coombes.	Mehl.
Cunningham.	Moore.
Daniel.	Morse.
DeWolfe.	Olsen.
Dodd.	O'Quinn.
Donnell.	Pope.
Dunlap.	Reader.
Engelhard.	Satterwhite.
Ferguson.	Scott.
Giles.	Smith of Bastrop.
Graves.	Smith of Wood.
Harman.	Strong.
Harrison	Sullivant.
of El Paso.	Tarwater.
Herzik.	Towery.
Holland.	Warwick.
Holloway.	West of Cameron.
Keller.	

## Absent—Excused.

Albritton.	Patterson.
Bryant.	Westbrook.

## Reason for Vote.

I vote "no" on suspending the rule on Senate bill No. 51 for the reason that the short time remaining during this session precludes the possibility of passing a proper and fair redistricting bill.

JONES of Atascosa.

## ADJOURNMENT.

On motion of Mr. Holder, the House, at 11:19 o'clock a. m., adjourned until 11:20 o'clock a. m., Friday, October 2, 1931, by the following vote:

## Yeas—66.

Adamson.	Giles.
Adkins.	Greathouse.
Anderson.	Grogan.
Baker.	Hardy.
Bradley.	Hatchitt.
Brice.	Hill.
Burns	Hines.
of McCulloch.	Holder.
Carpenter.	Hoskins.
Caven.	Hughes.
Claunch.	Johnson
Davis.	of Dallam.
Dowell.	Johnson
Duvall.	of Dimmit.
Dwyer.	Johnson of Morris.
Finn.	Jones of Shelby.
Forbes.	Kayton.
Ford.	Kennedy.
Fuchs.	Lee.
Gilbert.	Lemens.

Lilley.	Shelton.
McCombs.	Sherrill.
Magee.	Stephens.
Metcalf.	Steward.
Moffett.	Terrell
Munson.	of Val Verde.
Murphy.	Van Zandt.
Petsch.	Vaughan.
Ramsey.	Veatch.
Ratliff.	Wagstaff.
Ray.	Walker.
Richardson.	West of Coryell.
Rountree.	West of Cameron.
Sanders.	Wiggs.
Savage.	Young.

## Nays—35.

Adams of Harris.	Jones of Atascosa.
Adams of Jasper.	Justiss.
Akin.	Laird.
Barron.	Lasseter.
Bedford.	Leonard.
Bounds.	Long.
Burns of Walker.	McDougald.
Cox of Lamar.	McGregor.
Elliott.	Mathis.
Engelhard.	Nicholson.
Farmer.	O'Quinn.
Farrar.	Sparkman.
Fisher.	Stevenson.
Goodman.	Terrell
Hanson.	of Cherokee.
Harrison	Turner.
of Waller.	Weinert.
Hefley.	Wyatt.
Jackson.	

## Absent.

Alsup.	Howsley.
Beck.	Hubbard.
Bond.	Keller.
Boyd.	Lockhart.
Brooks.	McGill.
Coltrin.	Martin.
Coombes.	Mehl.
Cox of Limestone.	Moore.
Cunningham.	Morse.
Dale.	Olsen.
Daniel.	Pope.
DeWolfe.	Reader.
Dodd.	Rogers.
Donnell.	Satterwhite.
Dunlap.	Scott.
Ferguson.	Smith of Bastrop.
Graves.	Smith of Wood.
Harman.	Strong.
Harrison	Sullivant.
of El Paso.	Tarwater.
Herzik.	Towery.
Holland.	Warwick.
Holloway.	

## Absent—Excused.

Albritton.	Patterson.
Bryant.	Westbrook.

## APPENDIX.

REPORT OF THE COMMITTEE  
ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, October 2, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 91, A bill to be entitled  
"An Act amending Article 1025, of  
Chapter 2, Title 15, Code of Criminal  
Procedure, fixing the fees paid by the  
State of district attorneys, criminal  
district attorneys, or county attor-  
neys for representing the State in the  
district court in felony cases and in  
habeas corpus cases where the de-  
fendant is charged with a felony; re-  
pealing Article 1024, of Chapter 2,  
Title 15, Code of Criminal Procedure,  
and declaring an emergency,"

Have carefully compared same and  
find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE  
ON ENROLLED BILLS.

Committee Room,

Austin, Texas, October 2, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 59, "An Act to amend  
Article 1667 of the Revised Civil  
Statutes of Texas, for 1925, so that  
the provisions of said article shall  
hereafter extend to all counties con-  
taining a population of seventy-five  
thousand (75,000) or more, as shown  
by the preceding Federal census, and  
declaring an emergency,"

Have carefully compared same and  
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, October 2, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 38, Authorizing certain  
correction in House bill No. 59,

Have carefully compared same and  
find it correctly enrolled.

COX of Lamar, Chairman.